

12/9/12

Good Georgia Lawyer Mail - ORA Request



Mario Williams &lt;mario@goodgeorgialawyer.com&gt;

## ORA Request

Mario Williams &lt;mario@goodgeorgialawyer.com&gt;

Sat, Dec 8, 2012 at 2:47 PM

To: Rob Jones &lt;JonesR02@dcpr.state.ga.us&gt;

Cc: kpacious@law.ga.gov, Joseph Drolet &lt;jdrolet@law.ga.gov&gt;

Dear Mr. Jones:

In your capacity as Chief Ethics Officer and General Counsel for the Department of Corrections you have refused to provide the names of officers identified on a video and pictures in your possession. I have requested that you provide this information either under the Georgia Open Records Act or in your capacity as a legal professional who should respect the Court's time and resources, regarding a matter that would allow you to save time and resources of all parties. Not to mention the time and resources of the Attorney General's office.

The issue is not whether Georgia's ORA is a vehicle for civil discovery. Rather, the issue is as professional, you should want to take reasonable steps to avoid burdening the Court with unnecessary motions, regarding the identity of people on a video whose names may be easily provided. In your professional capacity and through the spirit and intent of local rules and ethical rules that govern our conduct as attorneys, you could provide those names irrespective if whether they are releasable under Georgia's ORA. Instead you have chosen a route that ultimately does not take up your time, but takes up the time of the AG's office, which represents the DOC, and the Court's time.

As a result of your conduct, I am now seeking court intervention, to order the Department of Corrections to identify those persons I respectfully asked your agency to identify without court intervention. I am also sending you the attached photos because they **hopefully** will be part of a Court order that requires the DOC to identify the names of persons easily within its capacity to identify.

Thanks, and I hope you have a good weekend.

Sincerely,

Mario

[Quoted text hidden]

### 4 attachments

Photo Of Officer On Second Floor at 11 03 25 Mark.pdf  
167K

Photo Of Officer On Second Floor at 11 03 50 Mark.pdf  
175K

Photo of Officer on Second Floor at the 11 03 32 Mark.pdf  
160K

Photo Of Officers on Second Floor at the 11 03 01 Mark Surrounding Inmate.pdf  
249K

12/9/12

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[mario@goodgeorgialawyer.com](mailto:mario@goodgeorgialawyer.com)

## ORA Request

**Mario Williams** <mario@goodgeorgialawyer.com>

Sun, Dec 2, 2012 at 11:22 AM

To: Bethany Whetzel &lt;whetzb00@dcor.state.ga.us&gt;

Dear Ms. Whetzel:

Hope you had a good weekend.

I sent the attached open records request with a Cd; it should arrive Monday. But then I thought that I can still frame each photo, to save time regarding my request that you view the video.

Regarding request number five. I requested documentation that identifies the white and black male officers, who are escorting an inmate. Then I ask for documentation that identifies two white male officers that are located right behind the white and black male officers and are also escorting an inmate. The attached photo regarding request number five shows one of the white males I am referring to; you can see him behind the black officer and heavy set, bald white officer. I am pointing him out because the other officer is not in screen but is the same officer referred to in request number 6, so identifying him pursuant to request number 6 is sufficient.

As I stated in the ORA Request, asking for this identifying information helps conserve time and resources of the State and Court by not naming people, unnecessarily.

Thanks Ms. Whetzel. Call me with any questions.

Mario

 Mario Williams, Esq  
 Williams Oinonen LLC

<http://www.goodgeorgialawyer.com>

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12/9/12

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that may be imposed under the Internal Revenue Code or any other applicable tax law, or (2) promoting, marketing, or recommending to another party any transaction, arrangement, or other matter.

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**5 attachments**

 **ORA Request.pdf**  
462K

 **Photo Of Officer Regarding Request Numer 3.pdf**  
176K

 **Photo Regading Request Number 4.pdf**  
164K

 **Photo Regarding Request Number Five White And Balck Male.pdf**  
176K

 **Photo Regarding Request Number Six.pdf**  
173K

12/8/12

Good Georgia Lawyer Mail - ORA Request



Mario Williams &lt;mario@goodgeorgialawyer.com&gt;

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## ORA Request

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Mario Williams &lt;mario@goodgeorgialawyer.com&gt;

Thu, Dec 6, 2012 at 6:52 PM

To: kpacious@law.ga.gov, Tina Piper &lt;tpiper@law.ga.gov&gt;, bburton@law.ga.gov, jdrolet@law.ga.gov

Cc: Rob Jones &lt;JonesR02@dcor.state.ga.us&gt;, Bethany Whetzel &lt;whetzb00@dcor.state.ga.us&gt;

Dear Counsel:

I sent the below email to Bethany Whetzel in order to avoid naming numerous parties to an upcoming lawsuit, thereby wasting everyone's time and resource with motions to dismiss and pre-rule 26 discovery. Rob Jones replied by providing specifically what I asked him not to provide me with: a huge list of individuals that requires me to name a numerous defendants in a civil suit.

I am now reaching out to the AG's office because I know it will be your office's employees (not Rob Jones) who will be forced to work over the holiday on this matter, when all Mr. Jones has to do is name individuals who we have most details regarding their identify except their names.

Please provide me with a response **by tomorrow** regarding whether or not the AG's office will secure the names of the specified people, to avoid wasting everyone's time and resources. If not, I will be forced to file suit immediately (wasting someone's holiday time with a response), name a bunch of people, then, the AG's office will spend its time filing motions to dismiss or dealing with pre-rules 26 discovery, during the holidays. This seems highly necessary.

Thanks,

Mario

—— Forwarded message ——

From: Mario Williams &lt;mario@goodgeorgialawyer.com&gt;

Date: Sun, Dec 2, 2012 at 11:22 AM

Subject: ORA Request

To: Bethany Whetzel &lt;whetzb00@dcor.state.ga.us&gt;

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### 5 attachments

**ORA Request.pdf**  
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12/9/12

Good Georgia Lawyer Mail - ORA Request



Mario Williams <mario@goodgeorgialawyer.com>

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## ORA Request

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Mario Williams <mario@goodgeorgialawyer.com>

Fri, Dec 7, 2012 at 10:37 AM

To: kpacious@law.ga.gov, Tina Piper <tpiper@law.ga.gov>, bburton@law.ga.gov, jdrolet@law.ga.gov

Cc: Rob Jones <JonesR02@dcor.state.ga.us>, Bethany Whetzel <whetzb00@dcor.state.ga.us>

Counsel,

I also want to say that the below email was sent to you in compliance with the letter and spirit of the following local rules, because a civil suit is going to be filed and most likely someone from the AG's office will represent at least one of the Defendants:

1. respect the schedule of opposing lawyers and be truthful about his or her own schedule;
2. present issues efficiently without unnecessarily burdening opposing lawyers by discovery or otherwise;
3. discuss each issue with opposing lawyers in a good faith attempt to resolve it without protracted negotiation or unnecessary litigation;
4. be guided by the principle that representations on behalf of his or her client ought to be characterized by good faith and honesty

In accordance with those local rules, I am trying to avoid naming unnecessary parties that will lead to a lot of unnecessary, or avoidable, motions that take up the time and resources of the Court, and the AG's office.

Sincerely,

Mario

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12/9/12

Good Georgia Lawyer Mail - ORA Request



mario.williams &lt;mario@goodgeorgialawyer.com&gt;

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## ORA Request

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**Mario Williams** <mario@goodgeorgialawyer.com>

Fri, Dec 7, 2012 at 3:03 PM

To: Joseph Drolet <jdrolet@law.ga.gov>

Cc: Devon Orland <dorland@law.ga.gov>, kpacious@law.ga.gov

Mr. Drolet,

Foremost, thanks for your email. To clarify, I am not asking the AG's office to direct the DOC. I am asking your agency to provide me with the requested information to avoid unnecessary motions and a waste of the court's time and resources.

I am filing a civil suit against officers who are currently or formerly employed by the DOC. I have provide precise identifying information that permits your agency, which typically represents guards sued in federal court, to identify those guards. I am asking that your civil division provide me those names in good faith cooperation as detailed by the middle district court's local rules.

Your agency has the ability to gain information from the doc, evidenced by your agency providing me with documents that Mr. Jones attempted to withhold pursuant open to an records request. So I am asking for a similar result.

This email is not contentious. Just trying to resolve an issue in a manner that saves time and resources.

Sincerely,

Mario

[Quoted text hidden]

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